

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

MARK L. ROPEL,

Plaintiff,

vs.

Civil No. 07-1166 JH/RHS

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.


**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS  
AND RECOMMENDED DISPOSITION**

THIS MATTER comes before the Court on the proposed findings and recommended disposition of the United States Magistrate Judge ("PFRD"), filed February 10, 2009 [Doc. No. 18]. No objections to the PFRD have been filed. The Court, having reviewed the same, will adopt the Magistrate Judge's proposed findings and recommended disposition.

**WHEREFORE,**

**IT IS ORDERED** that the proposed findings and recommended disposition of the United States Magistrate Judge are adopted by the Court.

**IT IS FURTHER ORDERED** that Plaintiff's Motion to Reverse and Remand for a Rehearing, with Supporting Memorandum [Doc. No. 14] is **granted** and this cause is **remanded** to the Commissioner for additional proceedings, to include: (1) adequate development of the record, (2) a re-assessment of Plaintiff's RFC, and (3) further proceedings as necessary, based on the receipt of additional evidence and a re-assessment of Plaintiff's RFC.

  
UNITED STATES DISTRICT JUDGE